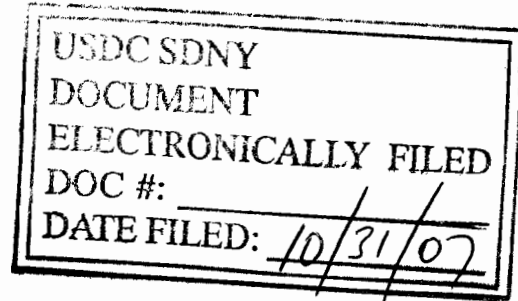


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



MARVIN BERNSTEIN,

Plaintiffs,

-v.-

ELLIOT SPITZER, et al.,

Defendants.

05 Civ. 1322 (GEL)

ORDER

GERARD E. LYNCH, District Judge:

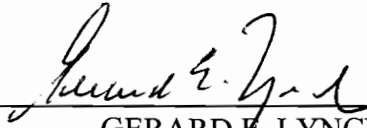
This case was scheduled for a status conference on November 2, 2007. By letter dated October 29, 2007, plaintiff, joined by defendants, request that the case be stayed pending the formal adoption of a regulatory amendment that would resolve the above-titled dispute. Plaintiff informs the Court that this process may take 6-8 months.

As the parties intend to enter into a stipulation of dismissal upon the formal adoption of this amendment, and no proceedings in this Court will be conducted until the conclusion of the regulatory action, the Clerk of the Court is respectfully directed to transfer this case to the suspense docket until further notice.

The parties' November 2, 2007, status conference will also be cancelled.

SO ORDERED.

Dated: New York, New York  
October 30, 2007

  
GERARD E. LYNCH  
United States District Judge